

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13535 of 2024

Arising Out of PS. Case No.-99 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

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Pramod Koda Son of Khiran Koda R/o vill - Tali Kodasi (Bariarpur), P.S. -
Piri Bazar, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Piri Bazar P.S Case No. 99 of 2022 registered for the offences

punishable under Sections 30(a)(b)(c) of Bihar Prohibition and

Excise (Amendment) Act, 2016.

3. As per prosecution case, total 20 litres of illicit

country made liquor was recovered from joint possession of

petitioner and one Dabloo Koda.

4. Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case. Leaned

counsel for the petitioner next submits that from perusal of the

seizure list it appears that there was no any independent witness

to the said seizure which is a clear violation of Section 100 of



the CrPC. The petitioner is in custody since 04.10.2023.

5. However, learned APP for the State opposed the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail after framing of the charge on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Excise Court-1, Lakhisarai in connection with Piri Bazar P.S Case No. 99 of 2022.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that if the charge-sheet has not been submitted then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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